

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Thomas B. Duffy
Duffy Law Group
739 Bayview Drive
Absecon, NJ 08201-1208
Phone: 609-457-6700
Email: Tom@DuffyLawGroup.com

Attorney for Defendant Xcentric Ventures, LLC

DENNIS OBADO,

Plaintiff,

v.

ED MAGEDSON; XCENTRIC
VENTURES, LLC;
WWW.BADBUSINESSBUREAU.COM;
DIOP KAMU, aka "DON
JACKSON"; THE POLICE
COMPLAINT CENTER;
WWW.POLICEABUSE.COM;
GOOGLE, INC.; BLOSSOM
SOFTWARE; YAHOO, INC.;
NEUSTAR, INC.; THE GODADDY
GROUP, INC.; INTELIOUS, INC.;
WWW.BLOSSOM.COM; BING
INC.; SOFTLAYER
TECHNOLOGIES, INC.;
SWITCHBOARD.COM; ENOM,
INC.; DZMTRY SHELEST; DNC
HOLDINGS, INC.; JOHN DOE(S);
JANE DOE(S),

Defendants.

Case No. 13-02382 (JAP)

**DEFENDANT XCENTRIC
VENTURES, LLC'S MOTION TO
DISMISS**

(Assigned to Honorable Joel A. Pisano)

NOTICE OF MOTION

MOTION TO DISMISS UNDER FED. R. CIV. P. 12(b)(1) & (b)(2)

Attorney for Defendant Xcentric

Thomas B. Duffy
739 Bayview Drive
Absecon, NJ 08201-1208
Phone: 609-457-6700
Email: Tom@DuffyLaw.org

Plaintiff *Pro Se*

Denis Obado
1034 Edpas Road
New Brunswick, NJ 08901
Phone: unknown (please provide)
Email: unknown (please provide)

Other Defendants Having Entered Appearances:

INTELIUS INC. represented by
KRISTEN E. POLOVOY
MONTGOMERY, MCCracken,
WALKER & RHOADS
457 HADDONFIELD ROAD
CHERRY HILL, NJ 08002
856-488-7704
Email: kpolovoy@mmwr.com

SWITCHBOARD.COM represented by
MICHAEL D. LIPUMA
325 CHESTNUT STREET
SUITE 1109
PHILADELPHIA, PA 19106
(215) 922-2126
Email: mlipuma@lipumalaw.com

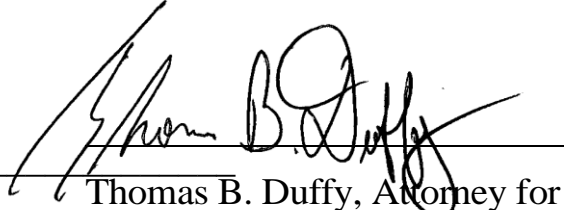
This is a motion to dismiss the Second Amended Complaint (“SAC”) under Rule 12(b)(1) for lack of subject matter due to lack of complete diversity and Rule 12(b)(2) because New Jersey, and therefore this Court, lacks personal jurisdiction over Defendant Xcentric Ventures, LLC (“Xcentric”).

Xcentric will rely on the accompanying brief in support of these arguments for dismissal.

A form of Order is attached for the Court's convenience.

Thank you for the Court's attention to this matter.

Dated: September 23, 2013



Thomas B. Duffy, Attorney for
Xcentic Ventures, LLC

CERTIFICATION OF RULE 11 COMPLIANCE & SERVICE ON COUNSEL

I, Thomas B. Duffy, do here by certify that this motion is filed in good faith and not for purposes of delay or any other improper motive. This Notice of Motion also has a Brief and Proposed Order attached as separate documents which are collectively, "Motion." This Motion was filed electronically on CM/ECF and notice of this filing and a PDF thereof will automatically be sent to all parties by email, pursuant to New Jersey District Court Rules.

This Certification of Service for some reason did not print out when I filed the Notice of Motion above. I am amending the Motion to Dismiss which I filed in lieu of an Answer by re-filing this Notice of Motion only to replace and correct that document (#50). The Brief (#50-1; but see below about Exhibit A) and Proposed Order (#50-2) are unaffected.

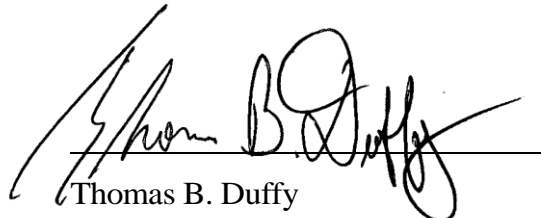
Mr. Kunz's Certification (Exhibit A) was not available when the Brief (#50-1) was filed. It is now being filed as a two page amendment to that Brief (#50-1). It may have to be filed as a different document number in which case, this Certification shall apply to both.

These two amended Documents are part of the now complete mailing to the Plaintiff Pro Se at the following address:

Denis Obado
1034 Edpas Road
New Brunswick, NJ 08901

I certify that the above statements, including those in the body of the Motion, made by me are true and I realize that if they are willfully false, I am subject to punishment.

Dated: September 25, 2013


Thomas B. Duffy